

### **REMARKS**

This application has been carefully reviewed in light of the Notice of Panel Decision from Pre-Appeal Brief Review mailed February 24, 2006. Independent Claims 1, 13, and 25 have been amended and Claims 26 and 27 have been added. Therefore, Claims 1-2, 4-14, and 16-27 remain in the application of which Claims 1, 13, 25, 26, and 27 are the only independent Claims. Applicant respectfully requests reconsideration and favorable action of all pending Claims in view of the following remarks.

### **Rejections under 35 U.S.C. §103**

Claims 1-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,057,915 to Squire et al. ("*Squire*") in view of GB 2 219 708 to Sepp ("*Sepp*"). Applicants respectfully traverse these rejections for at least the following reasons.

*Squire* or *Sepp*, whether taken alone or in combination fail to disclose, teach, or suggest transmitting and receiving a beam of eyesafe laser energy having an azimuth angle of 360° as specifically recited in Applicants' Claim 1. Rather, a step-wise guided movement of a step and start mirror is utilized. Furthermore, *Sepp* only teaches usage of a beam having a relatively narrow beam azimuth angle (See *Sepp*, pg.3, lines 1-6). Therefore, neither *Squire* or *Sepp* disclose, teach, or suggest a beam of eyesafe laser energy having an azimuth angle of 360°. Accordingly, Claim 1 is patentable over *Squire* in view of *Sepp*. Independent Claims 13 and 25 are allowable for analogous reasons, as are all claims depending therefrom. Reconsideration and favorable action are requested.

New Claims 26 and 27 cite patentable subject matter that is not disclosed, taught, or suggested by *Squire*, whether considered alone or in combination with *Sepp*. Specifically, neither *Squire* or *Sepp* teaches or suggests a transmitter portion that transmits a defined beam of eyesafe laser energy, the beam having a predetermined azimuth angle that is substantially equivalent to an azimuthal angle of a field of regard. The field of regard is defined as the area of interest that is to be analyzed in order to detect the presence of an incoming projectile.

Analysis of the entire field of regard in *Squire* is accomplished using a step-wise guided movement of a step and start mirror and not a transmitted defined beam of eyesafe laser energy having an azimuth angle substantially equivalent to the field of regard. *Sepp* does not disclose this limitation for analogous reasons. For at least these reasons, Claim 27 is allowable, as is Claim 26 for analogous reasons.

**CONCLUSION**

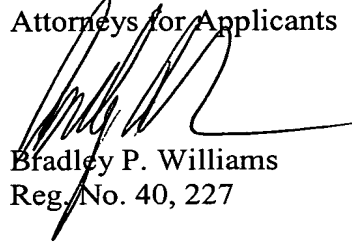
Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other apparent reasons, Applicant respectfully requests allowance of all pending Claims.

If the Examiner feels that prosecution of the present Application may be advanced in any way by a telephone conference, the Examiner is invited to contact the undersigned attorney at 214-953-6447.

Applicant does not believe that any fees are due. However, the Commissioner is hereby authorized to charge any required fees and credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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